

KFOURY ET AL.
"Electronic Device With Rotatable
Keypad And Display"
Atty. Docket No. CS10289

Response Under 37 CFR 1.116
Appl. No. 09/941,521
Examiner J. Chiang
Art Unit 2642

Allowability of Claims Over Nuovo et al.

Claims 1-8, 10, 14-28 stand rejected under 35 USC 102(e) as anticipated by US Patent No. 6,593,914 (Nuovo et al.) Office Action, 3 March 2004, para. 2.

The Applicants have submitted herewith an Affidavit or Declaration under 37 CRF 1.131 swearing back of the Nuovo et al. reference. The anticipation rejections based on Nuovo et al. are therefore overcome. Kindly withdraw the rejection under 35 USC 102(e) based upon Nuovo et al.

Allowability of Claims Over Nuovo et al., Wolf & Baldoni

Claim 9 stands rejected under 35 USC 103(a) as being unpatentable over Nuovo et al. in view of US Patent No. 6,349,221 (Wolf). Office Action, 3 March 2004, para. 4.

Claims 11-12 stand rejected under 35 USC 103(a) as being unpatentable over Nuovo et al. in view of US Patent No. 4,267,409 (Baldoni). Office Action, 3 March 2004, para. 5.

The Applicants have submitted herewith an Affidavit or Declaration under 37 CRF 1.131 swearing back of the Nuovo et al. reference. The obviousness rejections based on Nuovo et al. in view of Wolf and Baldoni are therefore overcome. Kindly withdraw the statutory rejections under 35 USC 103(a) based on Nuovo et al.

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**Notice of Improper Final Rejection &
Demand for Withdrawal of Finality of Rejection**

5 The finality of the Office Action mailed on 3 March 2004 is
improper, since the subject Office Action is a first Office action in the
referenced patent application. Kindly withdraw the finality of the Office
Action mailed on 3 March 2004.

10 **Prayer for Relief**

In view of the discussion and any amendments, the Claims of the
present application are in condition for allowance. Kindly withdraw any
rejections and objections and allow this application to issue as a United States
15 Patent without further delay.

Respectfully submitted,

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ROLAND K. BOWLER II 8 APR. 2004
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